

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

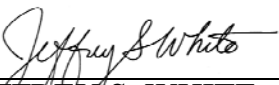
ANTHONY RAMOS,	)	No. C 06-0078 JSW (PR)
	)	
Petitioner,	)	<b>ORDER DISMISSING STATE</b>
	)	<b>HABEAS PETITION AS</b>
vs.	)	<b>IMPROPERLY FILED IN THIS</b>
	)	<b>COURT</b>
WARDEN, DELANO STATE	)	
PRISON,	)	<b>(Docket No. 3)</b>
	)	
Respondent.	)	

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Petitioner, a state prisoner incarcerated at Delano State Prison in Delano, California, filed a *pro se* petition for a writ of habeas corpus in the United States District Court for the Northern District of California on January 9, 2006. However, the header on the petition identifies the court which Petitioner intended to file it in as the Superior Court of the State of California, County of Santa Clara. Moreover, this Court has checked the docket of the California Appellate Courts and no habeas petitions from Petitioner have been filed in the California Court of Appeal or the California Supreme Court with regard to a Santa Clara state criminal case. As such, it is apparent that Petitioner mistakenly filed his petition which was intended for the California state courts in federal court. Accordingly, this petition is DISMISSED without prejudice. As such, Petitioner's motion to proceed *in forma pauperis* is DENIED as moot (docket no. 3).

IT IS SO ORDERED.

April 18, 2006

  
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JEFFREY S. WHITE  
United States District Judge